IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

WP(C).No. 25255 of 2007(F)

PETITIONER:

DR. THARA.S, LECTURER,
DEPARTMENT OF ZOOLOGY,
VTM N.S.S COLLEGE, THIRUVANANTHAPURAM.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:
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1. UNIVERSITY OF KERALA, REP. BY ITS REGISTRAR , UNIVERSITY CAMPUS, THIRUVANANTHAPURAM.

2. THE PRINCIPAL, VTM N.S.S COLLEGE, THIRUVANANTHAPURAM.

3. DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOLLAM.

4. STATE OF KERALA, REP. BY ITS SECRETARY TO GOVERNMENT, DEPARTMENT OF HIGHER EDUCATION, SECRETARIAT, THIRUVANANTHAPURAM.

ADDL. R5: DEPUTY DIRECTOR OF COLLEGIATE EDUCATION, KOTTAYAM.
(IMPLEADED AS PER ORDER DT. 3/12/2007 IN I.A.NO.15623/07)

BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.
SRI.P.GOPAL
GOVERNMENT PLEADER SRI.T.T. MAHMOOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.25255/07

APPENDIX

EXT.P1: COPY OF THE APPOINTMENT ORDER ISSUED BY THE 2ND RESPONDENT TO THE 1ST PETITINER DT. 7.6.2006.

EXT.P2: COPY OF THE ORDER NO.AC FV/025611/06 DATED 21.6.2007 ISSUED BY THE 1ST RESPONDENT UNIVERSITY.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)No. 25255 OF 2007

Dated this the 18th day of December, 2007

JUDGMENT

The petitioner was appointed as a Lecturer by the management of NSS Colleges. The appointment has been approved by the University. The petitioner's grievance in this writ petition is that salary due to the petitioner has not been disbursed yet since the Deputy Director of Collegiate Education is not counter signing the salary bills. The petitioner submits that in view of the Division Bench decision in **Shalini Rachel** Vs. **Manager, Christian College [2007(3) KLT 355],** once the University approves the appointment, the Deputy Director of Educational cannot with hold payment of salary.

2. The contention of the 3rd respondent is that the petitioner was appointed in a deputation vacancy and subsequent to such appointment, the petitioner was transferred from the place from where the teacher went on deputation in which vacancy only the petitioner was appointed.

3. I am of opinion that simply because the petitioner was appointed in a deputation vacancy and she was thereafter transferred, the petitioner does not become disentitled to payment of salary.

In the above circumstances there would be a direction to the 3rd respondent to see that the salary bill of the petitioner is duly counter signed and the petitioner gets her salary within a period of one month from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd